THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3329 of 2004

Dated: 24-07-2007

Between:

S.M.Afsar and another.

..... PETITIONERS

AND

The Special Officer and Competent Authority,
Urban Land Ceiling, Hyderabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3329 of 2004

ORDER:

M/s Defence Civilian Employees Cooperative Housing Society Limited (the society, for brevity) purchased land in survey No.61 and other survey numbers situated at Golconda Village. The land is within the urban agglomeration of Hyderabad and Secunderabad. The society applied for exemption and pending such exemption it prepared layout and allotted plots to its members. Plot No.4 was allotted to one N.Yadaiah, who raised constructions and sold the same to M/s Shaukatullah and Rehena. Shaukatulla sold 100 sq.yards to Shabana Akhtar, who sold it to Jameel Ahmed, who sold it to first petitioner under an agreement of sale dated 28.08.2001. Similarly Shabana Akhtar sold 100 sq. yard to second respondent under an agreement of sale dated 02.11.2001. As the land was not exempted, the petitioners preferred applications for regularization before first respondent under G.O.Ms.Nos.455 and 456 dated 29.07.2002, which were allegedly refused and therefore, they filed instant writ petition seeking a direction to the respondents to receive their (petitioners') applications for regularization.

First respondent, namely, the Special Officer and Competent Authority, Urban Land Ceiling, Hyderabad, filed a counter-affidavit categorically denying the allegation that the applications of the petitioners for regularization were not received by him. Though the counter-affidavit is filed on 27.07.2006, the petitioners have not chosen to file any
reply-affidavit.

Ms.C.Pavani, counsel representing Smt.A.Anasuya, the learned counsel for the petitioners, submits that the time granted for filing applications for regularization in accordance with G.O.Ms.Nos.455 and 456 dated 29.07.2002 is extended up to 31.03.2006 and that the applications filed by the petitioners were received by first respondent while the writ petition is pending. Therefore, no further orders are necessary and the writ petition has become infructuous.

The writ petition is accordingly dismissed as infructuous. First respondent may consider the applications of the petitioners in accordance with G.O.Ms.Nos.455 and 456 dated 29.07.2002. No costs.

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(**V.V.S.RAO, J**)

24th July, 2007
ghn